



Attorney's Docket No. 003300-788

#17/Req for
Reconsideration
Patent (NE)
10/29/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	BOX AF
)	
Fredrik LAURELL et al.)	Group Art Unit: 2815
)	
Application No.: 09/873,372)	Examiner: Matthew C. Landau
)	
Filed: June 5, 2001)	Confirmation No.: 5761
)	
For: Q-SWITCHED LASER)	

REQUEST FOR RECONSIDERATION AFTER FINAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Upon review of the Advisory Action dated October 7, 2003, Applicants wish to clarify an aspect of the arguments presented in the amendment of September 16, 2003 that may not have been clear to the Examiner. Specifically, in the Advisory Action, the Examiner appears to be of the view that Applicants merely identified a different reason for combining the various claim elements than identified by the Examiner as being present in the prior art. Applicants respectfully submit that this is not the intention.

Applicants pointed out in a non-confrontational manner that the reasoning offered for the hypothetical motivation to combine the Thony, Wu and Molva patents as offered in the final Office Action of April 29, 2003, was not technically accurate. Specifically, the Office suggested with respect to claim 8 that an "ordinary artisan would have been motivated to modify Thony [to include an additional saturable absorber layer between the laser diode and the chip of active material] for the purpose of absorbing more energy from the pump beam." Applicants submit that this is factually incorrect. Specifically, this

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reason does not exist in the prior art because it does not accurately reflect physics of the structure. A saturable absorber is practically non-absorbing for the pump light, but rather absorbs light emitted by the active material. Hence, the suggestion in the Office Action that placing an additional saturable absorber layer between the laser diode and the chip of active materials for the purpose of absorbing more energy from the pump beam has no basis in the physics of the prior art. Therefore, it is respectfully submitted that the hypothetical motivation for the combination is in the prior art. Because there is no motivation in the prior art, the rejection should not be maintained. The reason for having the placement of a thin absorber is that heat developed in the active material is transported away more readily, through the absorber, than through air. However, this teaching is found only in Applicants' disclosure.

In summary, Applicants respectfully submit that the motivation for the hypothetical combination suggested in the final Office Action is found only in Applicants' own teachings and therefore the rejection should be withdrawn.

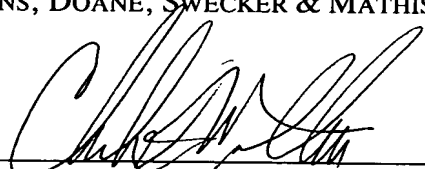
In light of the foregoing explanation, Applicants respectfully request reconsideration and allowance of the present application.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: October 22, 2003

By: _____


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Patent

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Application No.: 09/873,372) Examiner: Matthew C. Landau
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For: Q-SWITCHED LASER)

AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

- ☒ A Petition for Extension of Time is also enclosed.
- ☐ A Terminal Disclaimer and the ☐ \$55.00 (2814) ☐ \$110.00 (1814) fee due under 37 C.F.R. § 1.20(d) are also enclosed.
- ☒ Also enclosed is/are Notice of Appeal
- ☐ Small entity status is hereby claimed.
- ☐ Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$385.00 (2801) ☐ \$770.00 (1801) fee due under 37 C.F.R. § 1.17(e).
- ☐ Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified above.
- ☐ Applicant(s) previously submitted ___, on ___, for which continued examination is requested.
- ☐ Applicant(s) requests suspension of action by the Office until at least ___, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- ☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

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☒ No additional claim fee is required.

☐ An additional claim fee is required, and is calculated as shown below:

AMENDED CLAIMS					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	ADD'L FEE
Total Claims		MINUS =		× \$18.00 (1202) =	
Independent Claims		MINUS =		× \$86.00 (1201) =	
If Amendment adds multiple dependent claims, add \$290.00 (1203)					
Total Claim Amendment Fee					
If small entity status is claimed, subtract 50% of Total Claim Amendment Fee					
TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT					

☐ A total fee in the amount of \$ _____ is enclosed.

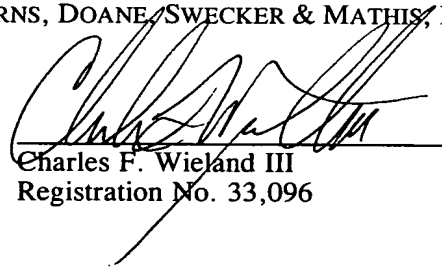
☐ Charge \$ _____ to Deposit Account No. 02-4800.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: October 22, 2003

By: 
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